

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.)
ARTHUR E. KRONTZ,)
CAROL A. KRONTZ,)
Defendants.)
)
CR-05-6004-LRS
CR-05-6005-LRS
Final Order of For

WHEREAS, on March 29, 2006, the Court entered a Preliminary Order of Forfeiture, pursuant to the provisions of 18 U.S.C. § 982(a)(7), 18 U.S.C. 981(a)(1)(C) and 28 U.S.C. § 2461, preliminarily forfeiting to the United States the real property described below:

903 East Alder Street, Walla Walla, Washington
Legal Description:

Lot 7 in Block 10 of Isaacs' Addition to the City of Walla Walla according to the official plat thereof of record in the office of the Auditor of Walla Walla County, Washington.

Situated in the County of Walla Walla, State of Washington.

Subject to covenants, conditions, restrictions, reservations, easements and agreements of record, if any.

Assessor's Property Tax Parcel Account Number: 36-07-21-57-1007.

WHEREAS Defendant ARTHUR E. KRONTZ'S interest in the property described above was forfeited to the United States via the criminal judgment entered herein.

1 WHEREAS Defendant CAROL A. KRONTZ'S interest in the property
2 described above was forfeited to the United States via the criminal judgment
3 entered herein.

4 WHEREAS, Federal Rules of Criminal Procedure, Rule 32.2, 21 U.S.C.
5 §853 and 28 U.S.C. § 2461, require the resolution of all third-party claims to the
6 property in the final order of forfeiture.

7 On June 29, July 6 and 13, 2006, the Notice of Preliminary Order of
8 Forfeiture was published in The Times, a newspaper of general circulation in
9 Walla Walla County, Washington, which notified all third parties of their right to
10 petition the Court within thirty days for a hearing to adjudicate the validity of their
11 alleged legal interest in the property described above. At the latest, this 30-day
12 period expired on August 14, 2006.

13 On May 3, 2006, Wells Fargo Home Mortgage (Wells Fargo) filed a
14 Petition, Claim and Answer with the Court stating its interest in the real property.

15 On July 31, 2006, the United States and Claimant, Wells Fargo, filed a
16 Settlement Agreement.

17 It appearing to the Court that ARTHUR E. KRONTZ'S interest has been
18 resolved by the criminal judgment herein;

19 It appearing to the Court that CAROL A. KRONTZ'S interest has been
20 resolved by the criminal judgment herein;

21 It further appearing to the Court that Wells Fargo's claim has been resolved
22 by the Settlement Agreement filed herein;

23 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the
24 property described above is hereby forfeited to the United States of America, and
25 no right, title, or interest shall exist in any other person.

26 IT IS FURTHER ORDERED that upon sale of the property, the United
27 States will pay Claimant, Wells Fargo Home Mortgage, the following amounts:
28

a. All unpaid principal due to Claimant, Wells Fargo Home Mortgage, in the amount of \$111,991.07 as of January 1, 2006, pursuant to the Promissory Note dated November 1, 1999, attached hereto as Exhibit A, which was secured by a Deed of Trust recorded November 5, 1999, in the official records of the Walla Walla County Assessors Office, under Recording No. 9912723, attached hereto as Exhibit B; and,

b. all unpaid interest, which totaled \$4,665.99 from December 1, 2005 to May 31, 2006, and additional interest calculated at the base contractual rate (not the default rate) under the above mortgage instrument assessed at 8.37500%, from June 1, 2006, until the date of payment; and,

c. any and all expenses advanced on the loan, including but not limited to, property taxes and homeowners insurance.

IT IS FURTHER ORDERED that the United States shall dispose of the forfeited property in accordance with law.

ORDERED this 25th day of August, 2006.

s/Lonny R. Suko
Lonny R. Suko
United States District Judge

Presented by:

James A. McDevitt
United States Attorney

s/K. Jill Bolton

K. Jill Bolton
Assistant United States Attorney